

STATE OF NEW YORK  
STATE TAX COMMISSION

In the Matter of the Petition

of

JOSEPH and MARIE LODATO

AFFIDAVIT OF MAILING

For a Redetermination of a Deficiency or :  
a Revision of a Determination or a Refund :  
of Personal Income :  
Taxes under Article (x) 22 of the :  
Tax Law for the Year (x) 1970. :

State of New York  
County of Albany

Catherine Steele, being duly sworn, deposes and says that  
she is an employee of the Department of Taxation and Finance, over 18 years of  
age, and that on the 16th day of November, 19 76, she served the within  
Notice of Default Order by (certified) mail upon Joseph and Marie Lodato

(representative of) the petitioner in the within proceeding,  
by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed

as follows: Mr. & Mrs. Joseph Lodato  
1058 Frances Drive  
North Valley Stream, New York 11580

and by depositing same enclosed in a postpaid properly addressed wrapper in a  
(post office or official depository) under the exclusive care and custody of  
the United States Postal Service within the State of New York.

That deponent further says that the said addressee is the (representative  
of the) petitioner herein and that the address set forth on said wrapper is the  
last known address of the (representative of the) petitioner.

Sworn to before me this

16th day of November, 19 76

Janet Mack

Catherine Steele

STATE OF NEW YORK  
STATE TAX COMMISSION

In the Matter of the Petition

of

JOSEPH and MARIE LODATO

AFFIDAVIT OF MAILING

For a Redetermination of a Deficiency or :  
a Revision of a Determination or a Refund :  
of Personal Income :  
Taxes under Article ~~(x)~~ 22 of the :  
Tax Law for the Year ~~(x) or Period(s)~~ 1970. :

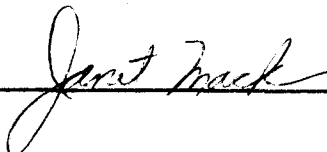
State of New York  
County of Albany

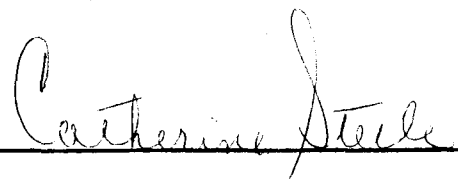
Catherine Steele, being duly sworn, deposes and says that she is an employee of the Department of Taxation and Finance, over 18 years of age, and that on the 16th day of November, 1976, she served the within Notice of Default Order by (certified) mail upon Joseph J. Lopinto, CPA (representative of) the petitioner in the within proceeding, by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed as follows: Joseph J. Lopinto, CPA  
185 Montague Street  
Brooklyn, New York 11201  
and by depositing same enclosed in a postpaid properly addressed wrapper in a (post office or official depository) under the exclusive care and custody of the United States Postal Service within the State of New York.

That deponent further says that the said addressee is the (representative of the) petitioner herein and that the address set forth on said wrapper is the last known address of the (representative of the) petitioner.

Sworn to before me this

16th day of November, 1976

  
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STATE OF NEW YORK  
DEPARTMENT OF TAXATION AND FINANCE

STATE TAX COMMISSION

TAX APPEALS BUREAU  
STATE CAMPUS  
ALBANY, N.Y. 12227

ADDRESS YOUR REPLY TO

November 16, 1976

TELEPHONE: (518) **457-3850**

Mr. & Mrs. Joseph Lodato  
1058 Frances Drive  
North Valley Stream, New York 11580

Dear Mr. & Mrs. Lodato:

Please take notice of the **Default Order**  
of the State Tax Commission enclosed herewith.

Please take further notice that pursuant to  
Section(4) **690** of the Tax Law, any  
proceeding in court to review an adverse deci-  
sion must be commenced within **4 months**  
from the date of this notice.

Inquiries concerning the computation of tax  
due or refund allowed in accordance with this  
decision or concerning any other matter relative  
hereto may be addressed to the undersigned. They  
will be referred to the proper party for reply.

Very truly yours,

**Frank J. Puccia**  
**Supervisor of Small**  
**Claims Hearings**

Enc.

cc: Petitioner's Representative:

Taxing Bureau's Representative:

STATE OF NEW YORK  
STATE TAX COMMISSION

In the Matter of the Petition  
of  
JOSEPH AND MARIE LODATO  
for Redetermination of Deficiency or for Refund of  
**Personal Income**  
Taxes under Article(§) 22 of the Tax Law for the  
Year(§) 1970

DEFAULT ORDER

Petitioner(s) Joseph and Marie Lodato, 1058 Frances Drive, No. Valley  
Stream, New York filed a petition for redetermination of deficiency  
or for refund of **Personal Income Tax** taxes under Article(§) 22  
of the Tax Law for the year(§) 1970 . File No.(§) 0-68314740

A small claims hearing on the petition was scheduled before Joseph Milack,  
Small Claims Hearing Officer , at the offices of the State  
Tax Commission, Two World Trade Center, 65th Floor, Room 6531, New York City  
on Friday, Sept. 17, 1976 at 10:45 A.M. . Notice of said small claims  
hearing was given to petitioner(§) and petitioner(s) representative, Joseph J.  
Lopinto, C.P.A. . Petitioner(s) or petitioner(s) representative did  
not appear at the scheduled hearing . A default has been duly noted.


Now on motion of the attorney for the Department of Taxation and Finance,  
it is

ORDERED that the petition of Joseph and Marie Lodato  
be and the same is hereby denied.

DATED: Albany, New York  
November 16, 1976

STATE TAX COMMISSION

  
PRESIDENT

  
COMMISSIONER

  
COMMISSIONER